

EXHIBIT E



**Murder
Accountability
Project.**

7927 Jackson Road, Alexandria, VA 22308

www.murderdata.org

Phone: 571-606-5999

May 29, 2019

Director Christopher A. Wray
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535-0001

FOIPA Request No.: 1434533-000
Subject: Uniform Crime Report and the
Supplemental Homicide Report
(January 1, 1989 to the Present)

Dear Director Wray:

This is to respond to a letter dated May 22 from Assistant Director Michael D. DeLeon of your Criminal Justice Information Services Division informing us that the FBI is “taking the necessary steps to collect and report NIBRS data to the UCR Program to ensure compliance with the Uniform Federal Crime Reporting Act of 1988” and that your agency “expects to complete this process” by January 1, 2021. “We hope this explanation satisfactorily addresses your concerns,” Mr. DeLeon concludes. A copy of his letter is included.

Mr. DeLeon was responding on your behalf to our letter seeking your assistance in our Freedom of Information Act request to obtain unreported homicide data (and information about other major crimes) required by that 1988 law to be provided both to the Uniform Crime Report and the Supplemental Homicide Report. We seek these data from January 1, 1989, (when the law took effect) to the present day.

The staff attorney for our Murder Accountability Project, a tiny nonprofit organization based in Northern Virginia, recommends that we file a FOIA lawsuit to obtain what we believe are thousands of unreported murders where the FBI and other federal law enforcement entities acted as lead investigative agencies. Our Board of Directors has unanimously voted to authorize such a lawsuit.

However, in hopes that a settlement can be achieved without litigation, the Board asked that I delay legal action for 30 days to seek a meeting with FBI representatives to discuss our data requirements. The Murder Accountability Project (MAP) has assembled the most complete accounting of unsolved U.S. homicides available anywhere, including nearly 29,000 murders that were not reported to the FBI. Our databases are made public free of charge at our website, www.murderdata.org, and are widely used by police detectives and FBI employees to test theories about offenders who may have committed offenses in multiple jurisdictions.

We believe that a major source of unreported homicides is, in fact, the Federal Government itself. The Uniform Federal Crime Reporting Act of 1988 requires that all federal law enforcement, including those within the Department of Defense, must report major crime data to the Justice Department and that the Justice Department must make those data available to all institutions that rely upon the UCR, a community which includes MAP. This lack of complete reporting of homicides hampers efforts of law enforcement to seek closure in active and cold case investigations.

We became aware of this federal reporting failure when officials with the U.S. Interior Department asked us to review homicides of Native Americans. We warned Interior personnel that about half of all Indian murders from 1999 through 2017 were not reported to the Uniform Crime Report. We are able to identify specific Indian murders that are not in our data which were investigated by the FBI. We believe the reporting failures are by no means limited only to Native American killings, but include all homicides the Bureau has investigated.

We do not understand why the Uniform Federal Crime Reporting Act of 1988 was not observed for the last 30 years. But we are concerned that a FOIA lawsuit might be awkward for all concerned. Can we meet to discuss a settlement in our request for data involving homicides and other major crimes that should have been reported under this law? We also need these records to be provided in a machine-readable format such as Excel or delimited text files. Please contact us if you have any questions about this request.

We look forward to a meeting with the appropriate FBI official within the next 30 days.

Sincerely,

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Thomas Hargrove
Chairman of the Board of Directors
Murder Accountability Project
hargrove@murderdata.org

cc: Assistant Director Michael D. DeLeon, Clarksburg, WV; Chief Scott A. Rago, Clarksburg, WV; Section Chief David M. Hardy, Washington, DC



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Assistant Director Michael D. DeLeon
Criminal Justice Information Services Division
1000 Custer Hollow Road
Clarksburg, W.V. 26306

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Chief Scott A. Rago
 Global Law Enforcement Support Section
 Criminal Justice Information Services Division, Module C-3
 1000 Custer Hollow Road
 Clarksburg, W.V. 26306

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Section Chief David M. Hardy
 Record/Information Dissemination Section
 Information Management Division
 Federal Bureau of Investigation
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 Washington, D.C. 20535-0001

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